



NO JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FILLIP ALAN DESSER, MARLO)	Case No. CV 13-09190 DDP (CWx)
ILYNE DESSER,)	
)	ORDER GRANTING UNOPPOSED MOTION
Plaintiffs,)	TO DISMISS
)	
v.)	[Dkt. No. 24.]
)	
US BANK HOME MORTGAGE, a)	
division of U.S. BANK, N.A.,)	
a national association; U.S.)	
BANK, N.A., a national)	
association; NORTH AMERICAN)	
SAVINGS BANK, F.S.B., a)	
federal savings bank,)	
NATIONAL DEFAULT SERVICING)	
CORPORATION, a corporation,)	
)	
Defendants.)	
)	
)	

Presently before the court is a Motion to Dismiss Plaintiffs' First Amended Complaint under Rule 12(b)(6) filed by U.S. Bank, National Association on behalf of itself and U.S. Bank Home Mortgage, a division of U.S. Bank, National Association. (Dkt No. 24.) Plaintiffs Phillip Alan Desser and Marlo Ilyne Desser have not opposed the motion. Accordingly, the court GRANTS Defendants' Motion to Dismiss.

1 Central District of California Local Rule 7-9 requires an
2 opposing party to file an opposition to any motion at least twenty-
3 one (21) days prior to the date designated for hearing the motion.
4 C.D. CAL. L.R. 7-9. Additionally, Local Rule 7-12 provides that
5 "[t]he failure to file any required document, or the failure to
6 file it within the deadline, may be deemed consent to the granting
7 or denial of the motion." C.D. CAL. L.R. 7-12.

8 The hearing on Defendants' motion was noticed for May 19,
9 2014. Plaintiffs' opposition was therefore due by April 28, 2014.
10 As of the date of this Order, Plaintiffs have not filed an
11 opposition or any other filing that could be construed as a request
12 for a continuance. Accordingly, the court deems Plaintiffs' failure
13 to oppose as consent to granting the motion to dismiss, and GRANTS
14 the motion.

15
16 IT IS SO ORDERED.

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19 Dated: May 6, 2014


DEAN D. PREGERSON
United States District Judge